

Journal

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Office of Legislative Counsel

Tuesday - 10 August 1954

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1. Mr. Barrett McDonnell, the Department of Justice representative on the NSC Planning Board, called Mr. Bundy to say that the Joint Congressional Committee on Atomic Energy was meeting at 10:00 AM on 11 August to discuss the Administration's proposed legislation for awards to informers in return for information regarding the smuggling into the United States of atomic weapons. Mr. McDonnell stated that they wished to have as much Administration support as possible for this proposed legislation and that Adm. Strauss would testify for AEC, Assistant Attorney General (for Internal Security) Tompkins for the Department of Justice, Assistant Secretary of the Treasury Rose (accompanied by Customs Deputy Commissioner Emerick), and perhaps I&NS Commissioner Swing. Mr. McDonnell is extending a formal invitation from Justice for CIA to participate in this hearing.

It should be noted that the Joint Congressional Committee on Atomic Energy has not indicated to CIA the need for its testimony. While they may have left with the Department of Justice the question of supplying witnesses, the fact remains that they have not specifically requested our testimony. Adm. Strauss, as Chairman of the AEC, has not been in contact with the DCI regarding testimony to the best of my knowledge, nor has there been a request from AEC through legislative channels. This legislation has already been blasted by Senator McCarran and will probably have his continued opposition on the basis that the right of asylum granted therein is a further evasion of the Immigration Laws. I would consider it highly doubtful that this legislation could pass the present Congress in its present form in view of the extreme difficulties which all of Mr. Brownell's legislation is currently facing. This legislation could well be subject to a motion to refer it to the Judiciary Committee once the Joint Atomic Energy Committee has completed action. If closely questioned, CIA might well have to testify that it has ample authority under its own Act, both in general powers and through Section 8 of P.L. 110, to encompass the major results envisaged by the current bill.

In view of the above, it is recommended that CIA not testify in connection with this proposed legislation in the absence of a specific request from the Joint Committee, the Chairman of the AEC, the Attorney General, or the White House, unless the DCI feels that he is committed to such support through NSC action.

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